

**IN THE UNITED STATES DISTRICT  
COURT FOR THE NORTHERN DISTRICT  
OF ILLINOIS EASTERN DIVISION**

IN RE: TESTOSTERONE REPLACEMENT  
THERAPY PRODUCTS LIABILITY  
LITIGATION

MDL No. 2545

Master Docket Case No. 1:14-cv-01748

Honorable Matthew F. Kennelly

THIS DOCUMENT RELATES TO ALL  
CASES

**APPLICATION OF MAURY A. HERMAN SEEKING APPOINTMENT  
TO THE COMMON BENEFIT FEE COMMITTEE**

Maury A. Herman (“Applicant”) respectfully submits this application to be appointed to the *In re: Testosterone Replacement Therapy Products Liability Litigation* (MDL No. 2545) Common Benefit Fee Committee. In support thereof, Applicant states the following:

I have been a member of the Plaintiffs’ Executive Committee (“PEC”) since the beginning of this litigation, and I along with other members of our law firm have been actively involved in all aspects of the litigation. *See* CMO 6, [Doc. #255]. Subsequently, I was appointed by lead counsel as lead of the Auxilium team. In that role, I assembled and managed a team of lawyers from my firm and other PSC firms to perform document review, analyses, research, depositions and trial support for the Auxilium trial teams, as well as other trial teams. Notably, Herman Herman & Katz, L.L.C., paid all of its capital contributions timely in this MDL and advanced substantial expenses to finance this litigation and for the common benefit.

Members of my law firm have been active in mass tort and class action litigation for over 25 years and have served on numerous fee committees. Most recently, I personally served on the fee committee and administrative committee in *Gloria Scott, et al. vs. The American Tobacco Company, et al.*, No 96-8461 in (the “Scott Litigation”) a class action lawsuit, which resulted in

approximately a \$279,000,000 dollar judgement affirmed by the Louisiana Supreme Court. Based on all of the above, I request to be appointed to the Common Benefit Fee Committee in this litigation.

Applicant notes the order of this court dated October 15, 2018, Doc. # 2894, “The PSC is directed to submit an appropriate draft amended version of CMO 16 for signature by the Court. In addition, nominations for the Common Benefit Fee Committee are to be made by October 26, 2018.” It is the Applicant’s understanding of this order is that PSC nominations were to be received by the court by October 26<sup>th</sup>. I was not nominated by PSC lead counsel.

Dated: November 1, 2018

Respectfully submitted,

**HERMAN HERMAN & KATZ, L.L.C.**

/s/ Maury A. Herman

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